

**IN THE BANKRUPTCY APPELLATE PANEL FOR THE SIXTH CIRCUIT**

	)	
	)	
IN RE:	)	No. 10-8034
	)	
GREGORY SCOTT DAILY,	)	On Appeal from the United States
	)	Bankruptcy Court for the Middle District
Debtor.	)	of Tennessee
	)	
	)	Ch.11 Case No. 09-bk-05337
	)	

**NOTICE OF ELECTION TO HAVE APPEAL HEARD IN THE DISTRICT COURT**

Gregory Scott Daily, the Debtor/Appellee, elects that Appeal No. 10-8034 filed by Auerbach Acquisition Associates, Inc. be heard before the United States District Court for the Middle District of Tennessee. This election is timely under BAP Local Rule 8001-3(a) & (b). Auerbach filed a notice of appeal on May 20, 2010, and a Motion for Leave to File Interlocutory Appeal on May 19, 2010. Accordingly, Daily respectfully requests that this appeal be transferred to the United States District Court for the Middle District of Tennessee.

Respectfully submitted,

*s/ William L. Norton, III*

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William L. Norton, III

Attorney for Appellant

**OF COUNSEL:**

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 2, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

None

*s/ William L. Norton III*

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William L. Norton III